

## FOREWORD

This inaugural issue of the *Macarthur Law Review* embodies the very developments in the law that make it such a challenging and exciting discipline with which to be involved. The law itself as well as the ways in which law is practised, are presently in a state of incremental change as our legal system accommodates the challenges of a global economy and a greater focus on internationalism.

I am particularly pleased to note, in this issue, that the broad mix of articles includes a contribution by a member of the judiciary, as well as contributions by academic lawyers. In my view, there is much to be gained from the increasing intellectual interaction between those who practise the law and those who research and teach the law and provide academic critique. Having worked in university law schools and in law reform before moving to the Bar and Bench, I believe that each perspective has a role to play in ensuring that the law remains committed to its primary goal of seeking to promote justice in a changing social environment.

The forum provided by the *Macarthur Law Review* has the potential to bring together a lively exchange of views from those working in all aspects of the legal profession, debating many of the critical legal issues such as are to be found in this volume. The articles selected range from the more theoretical examination of legal principle to the more practice oriented analysis, with each helping to further legal knowledge and understanding. An article focusing on the teaching of law and the assessment procedures for law students, for example, may ultimately have as much impact on how the law develops as one which analyses a more traditional tort problem, such as the impact of nervous shock on the “normal” person. An article which discusses the UN Draft Declaration on the Rights of Indigenous Peoples is highly pertinent to a modern Australia where principles of international law and practice are offering opportunities for re-thinking some out-dated aspects of the common law. By the same token, traditional and important principles of our Constitutional arrangements are debated



here through an analysis of the theories of constitutional interpretation, on the one hand, and the principle of judicial independence, on the other. In addition, the role and duties of company directors are canvassed in the context of the rapidly changing expectations that Australian society now places upon our captains of industry.

I am delighted to be associated with this inaugural issue of the *Macarthur Law Review* and trust that it will continue to provide a wide-ranging coverage of important legal and social issues, while encouraging all members of the legal profession to participate in the debates.

**Justice D. F. O'Connor Patron, Faculty of Law Macarthur**

